

REMARKS

A. Status of the Application

Claims **1-7, 9-11, 20** and **31-55** are pending, of which claims **1** and **35** are independent claims. Claims **8, 12-19** and **21-30** were previously cancelled. Claims **50-55** are new. Claims **1-5, 7, 9-11, 20, 31, 32, 35, 36, 39, 41-45**, and **47** have been amended. Amendments to the claims are supported by the specification as filed.

The claim amendments have not been submitted for any reason relating to patentability, or to overcome any rejection. Indeed, Applicants believe that the Paper is too incomplete to establish a prima facie rejection, to rise to the level of a rejection or an Office Action, and to even allow Applicants to respond fully. As such, Applicants reserve the right to pursue the subject matter of the previously presented, and of the previously or currently pending claims in one or more continuing applications.

B. Incomplete Office Paper

In order for an Office Paper to properly reject a claim, 37 C.F.R. § 1.104(c)(2) and MPEP 707, which are both binding upon the Examiner, state that when a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. The Office Paper clearly fails to comply with these standards.

In particular, the Office Paper cites four separate patent documents, each of which is a complex document that describes inventions other than those claimed by Applicants. For example, Kemp is a 49 page patent document that describes numerous inventions with a moving price axis. When citing Kemp, the Office Paper cites the entire document. Such a citation to the entire document cannot possibly be as nearly as practicable and does not allow Applicants to make a fully informed response. Similar erroneous citations are made to each of the other three citations relied upon in all rejections.

Because such citations cannot possibly comply with the mandatory requirements of the CFR and MPEP, the Office Paper fails to make any rejection based on these citations. If any rejection is to be made based on these references in a further Office Paper, such rejection will be made for the first time and cannot be made final because there are no legally sufficient rejections made in this Office Paper.

C. 35 USC 112

The Office Paper discusses claims 1-7, 9-11, 20, and 31-49 in view of 35 USC 112 first paragraph as allegedly failing to comply with the written description requirement. In particular, the Office Paper erroneously states that the application does not comply with the written description requirement with respect to the following statement: “a display device that displays a plurality of quadrants in a single viewing region.”

Applicants point to the clear description of this limitations that may be found, for example, in figure 4 of the applications which shows a display device displaying a plurality of quadrants simultaneously in a single viewing region and in paragraphs 56-67 which describe a display device displaying a plurality of quadrants simultaneously in a single viewing region. A person having ordinary skill in the art at the time of the filing of the application would have had possession of the claimed limitations having reviewed these portions and the remainder of the application.

Accordingly, the rejection under 35 USC 112 must be withdrawn.

D. 35 USC 103

The Office Paper discusses claims 1-7, 9-11, 20, and 31-49 with respect to 35 USC 103 in view of U.S. patent 5,905,974 to Fraser (elsewhere herein, “Fraser”), U.S. patent publication 2002/0029180 to Kirwin (elsewhere herein, “Kirwin”), U.S. patent publication 2006/0229967 to Sweeting (elsewhere herein, “Sweeting”), and U.S. patent

7,389,268 to Kemp (elsewhere herein, “Kemp”). As discussed above, such discussion is insufficient to rise to the level of a rejection based on non-compliance with the CFR and the MPEP.

Nonetheless, even if the discussion did comply with the CFR and the MPEP, the discussion still fails to make a prima facie showing of unpatentability of the claims and the claims should be allowed.

Particularly, the cited prior art does not teach or suggest at least the following limitations of claim 1:

a display device that simultaneously displays a plurality of quadrants in a single viewing region, in which each quadrant displays a benchmark issue and a plurality of non-benchmark issues related to the benchmark issue;

select a first quadrant of the plurality of simultaneously displayed quadrants, in which the first quadrant displays the first benchmark issue;

and

switch, from the first quadrant, to select a second quadrant of the plurality of simultaneously displayed quadrant, in which the second quadrant displays the second benchmark issue;

The Office Paper indicates that these of discussed by Kirwin; however, Applicants find no teaching or suggestion of any plurality of quadrants being simultaneously displayed or any selection of any displayed quadrant in the cited portions of Kirwin. The Office Paper broadly points to almost the entire applications, which includes a discussion of an interface for entering a trading order through a mouse click on a market cell. Because such a discussion is not a teaching or suggestion of any plurality of quadrants being simultaneously displayed or any selection of any displayed quadrant, the Office Paper would fail to make a prima facie showing of unpatentability of independent claim 1. Independent claim 35 includes similar limitations and is allowable based at least on similar reasons. Each of the remaining claims depends from one of these two independent claims and is allowable at least based on this dependence.

The independent claims and dependent claims may include further patentable elements, but the claims are fully addressed by the above discussion of missing elements. Nonetheless, Applicants note that applicants find no teaching or suggestion of direct dealing, request for quotes, or any other particular trading functions being performed through designated keys of a keyboard in Kemp.

Also, there is clearly no compliance with the substantial evidence rule by the Office Paper. The combination of references must be supported by substantial evidence regarding one of ordinary skill in the art at the time of filing of the application. The Office Paper includes no evidence at all, but rather includes only conclusory statements that the references are in a same general area. Such statements do not comply with the substantial evidence requirement, and therefore the combination of references is not proper.

E. Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicants hereby authorize the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicants understand that a copy of these communications will be made of record in the application file.

F. Conclusion

In general, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Respectfully submitted,

Date: January 20, 2011

Customer No:

Innovation Group
Cantor Fitzgerald, LLP
110 E. 59th Street
New York, NY 10002

Mark Miller

Mark Miller, Reg. No. 58,234
Representative for Applicant
Tel. No. (857) 654-3425
mmiller@cantor.com